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October 17, 2003

Sent via Facsimile & U.S. Mail

Neil F. Freund, Esq.
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Dayton, Ohio 45402-2017

**Re: *Estate of Roger D. Owensby, Jr. v. City of Cincinnati, et al.,
Case No. 01-CV-769 (S.D. Ohio)***

Dear Neil:

In response to your fax of yesterday afternoon requesting our agreement to a stipulated extension of the current discovery cutoff and trial date, Plaintiff does not agree to any extension of the discovery cutoff or trial date and will oppose any effort to extend the trial date.

Sincerely,



Paul B. Martins

PBM:kmr

cc: Mark T. Tillar, Esq.
John J. Helbling, Esq.
Donald E. Hardin, Esq.
Wilson G. Weisenfelder, Jr., Esq.
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October 15, 2003

SENT VIA FACSIMILE

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RE: The Estate of Roger D. Owensby v. City of Cincinnati, et al.

Dear Counsel:

Attached is a proposed stipulation concerning extensions of the current discovery cutoff and trial date.

It is my belief, based just on the number of potential depositions, that we will need additional time to complete discovery and get the case ready for trial.

Please let me know if agree, or disagree. You can contact my paralegal, Carol Seitz, at 937-913-0119 or cseitz@ffalaw.com with your response.

FREUND, FREEZE & ARNOLD

All Counsel
October 15, 2003
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Thank you for your consideration in this matter.

Very truly yours,

FREUND, FREEZE & ARNOLD

A handwritten signature in black ink, appearing to read 'Neil F. Freund', is written over the firm name.

Neil F. Freund

CSS

c: Geri Hernandez Geiler, Esq.

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ESTATE OF ROGER D. OWENSBY,

Plaintiff

*

CASE NO. C-1-01-769
(Judge S. Arthur Spiegel)

vs.

*

CITY OF CINCINNATI, et al.

PROPOSED STIPULATION

Defendants

*

The parties hereby stipulate that the discovery deadline of January 4, 2004 needs to be extended and the trial date of May 3, 2004 should also be continued. The parties request that the court schedule a conference with all counsel to establish new dates.